

Presentment Date and Time: August 19, 2021 at 12:00 p.m. EDT

Objection Deadline: August 19, 2021 at 12:00 p.m. EDT

JENNER & BLOCK LLP

Richard Levin

Carl Wedoff

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New York, New York 10022

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*Counsel for Unifortune Conservative**Side Pocket (not a juridical entity)***UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

FAIRFIELD SENTRY LIMITED, et al.,

Debtors in Foreign Proceedings.

Chapter 15

Case No. 10-13164 (CGM)

Jointly Administered

FAIRFIELD SENTRY LIMITED (IN
LIQUIDATION) and FAIRFIELD SIGMA LIMITED
(IN LIQUIDATION), acting by and through the
Foreign Representatives thereof,

Plaintiffs,

v.

ABN AMRO SCHWEIZ AG A/K/A ABN AMRO
(SWITZERLAND) AG, et al.,

Defendants.

Adv. Proc. No. 10-3635 (CGM)

Adv. Proc. No. 10-3636 (CGM)

This document is also being filed in the lead
adversary proceeding, Fairfield Sentry Ltd. (in
Liquidation), et al. v. Theodoor GGC Amsterdam, et
al., Adv. Pro. No. 10-03496.**NOTICE OF PRESENTMENT OF
MOTION TO WITHDRAW AS COUNSEL**

PLEASE TAKE NOTICE that upon the annexed *Motion to Withdraw as Counsel* (the “**Motion**”), the undersigned will present the proposed order attached as Exhibit A to the Motion to the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge, Courtroom 621, at the United States Bankruptcy Court for the Southern District of New York

(the “**Bankruptcy Court**”), One Bowling Green, New York, New York 10004 on August 19, 2021, at 12:00 p.m. (Eastern Daylight Time).

Objections, if any, to approval of the Motion and entry of the proposed order must: (i) be made in writing; (ii) state with particularity the grounds therefor; (iii) be filed with the Bankruptcy Court (with a copy to the Judge’s chambers); and (iv) be served upon the undersigned counsel so as to be received no later than August 19, 2021 at 12:00 p.m. (Eastern Daylight Time) (the “**Objection Deadline**”).

PLEASE TAKE FURTHER NOTICE that if the Bankruptcy Court determines to hold a hearing on the Motion, it is holding all hearings via Zoom®. Participants are required to register their appearance by 4:00 PM one business day before the scheduled hearing at the following link: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>.

Dated: New York, New York
August 5, 2021

JENNER & BLOCK LLP

/s/ Richard Levin

Richard Levin

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*Counsel for Unifortune Conservative
Side Pocket (not a juridical entity)*

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

FAIRFIELD SENTRY LIMITED, et al.,

Debtors in Foreign Proceedings.

FAIRFIELD SENTRY LIMITED (IN
LIQUIDATION) and FAIRFIELD SIGMA LIMITED
(IN LIQUIDATION), acting by and through the
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Defendants.

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al., Adv. Pro. No. 10-03496.

Chapter 15

Case No. 10-13164 (CGM)

Jointly Administered

Adv. Proc. No. 10-3635 (CGM)

Adv. Proc. No. 10-3636 (CGM)

MOTION TO WITHDRAW AS COUNSEL

The undersigned counsel moves the Court, under 2090-1 of the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the Southern District of New York (the “**Local Rules**”), to enter an order, substantially in the form attached hereto as **Exhibit A**, authorizing Richard Levin and Carl Wedoff to withdraw as counsel to

Unifortune Conservative Side Pocket (“**Side Pocket**”) in the above-captioned adversary proceedings

1. The Fairfield Liquidators named “Allianzbank SPA/Unifortune Conservative Side Pocket” as a defendant in the adversary proceedings. “Allianzbank SPA/Unifortune Conservative Side Pocket” is not a single entity, but rather appears to be a combination of the name of an Allianz Bank affiliate and Side Pocket.

2. Side Pocket is an Italian investment fund created in February 2009—after the revelation of the fraud of Bernard L. Madoff Investment Securities—and dissolved in 2015. Under Italian law, Side Pocket is not, and has never been, a juridical entity with capacity to sue and be sued.

3. This firm has appeared in these adversary proceedings on behalf of Side Pocket and informed counsel for the Liquidators on several occasions, beginning in January 2017, of the misnaming of the defendants and that Side Pocket is not a juridical entity.

4. At the July 28, 2021 status conference on these adversary proceedings, the Court stated that counsel “cannot represent a non-entity.” Tr. of Jul. 28, 2021 Hr’g at 98:21-22. The undersigned responded by indicating that this firm will withdraw its representation of non-existent entity Side Pocket. Tr. 100:14-15.

5. In view of the foregoing, we respectfully submit that cause exists under Local Bankruptcy Rule 2090-1(e) to enter an order, substantially in the form attached hereto as Exhibit A, authorizing Richard Levin and Carl Wedoff to withdraw as attorneys of record for Unifortune Conservative Side Pocket in these adversary proceedings.

(Signature page follows.)

Dated: New York, New York
August 5, 2021

JENNER & BLOCK LLP

/s/ Richard Levin

Richard Levin
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*Counsel for Unifortune Conservative
Side Pocket (not a juridical entity)*

Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re FAIRFIELD SENTRY LIMITED, et al., Debtors in Foreign Proceedings.	Chapter 15 Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting by and through the Foreign Representatives thereof, Plaintiffs, v. ABN AMRO SCHWEIZ AG A/K/A ABN AMRO (SWITZERLAND) AG, et al., Defendants.	Adv. Proc. No. 10-3635 (CGM) Adv. Proc. No. 10-3636 (CGM)
This document is also being filed in the lead adversary proceeding, Fairfield Sentry Ltd. (in Liquidation), et al. v. Theodoor GGC Amsterdam, et al., Adv. Pro. No. 10-03496.	

ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL

Upon consideration of the motion (the “**Motion**”) to withdraw the appearance of Richard Levin and Carl Wedoff as attorneys of record for Unifortune Conservative Side Pocket in the above-captioned adversary proceedings; and the Court having jurisdiction to consider the Motion in accordance with 28 U.S.C. § 157; and due and sufficient notice of the Motion having been provided, and it appearing that no other or further notice need be provided; and a hearing, if any, having been held to consider the relief requested in the Motion; and the Court having reviewed the Motion, and after due deliberation and sufficient cause appearing;

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED.

2. Richard Levin and Carl Wedoff are hereby authorized to withdraw as attorneys of record for Unifortune Conservative Side Pocket in the above-captioned adversary proceedings.
3. This Court shall retain jurisdiction with respect to the enforcement, implementation, or interpretation of this Order.

Dated: _____, 2021
New York, New York

UNITED STATES BANKRUPTCY JUDGE

CERTIFICATE OF SERVICE

I Richard Levin, hereby certify under penalty of perjury that on May 21, 2021, I caused the MOTION TO WITHDRAW AS COUNSEL to be served by CM/ECF on all counsel of record in Adversary Proceeding Numbers 10-3496, 10-3635, and 10-3636.

/s/ Richard Levin

Richard Levin